

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA)	
)	
V.)	Crim. No. 01-455-A
)	Hon. Leonie M. Brinkema
ZACARIAS MOUSSAOUI)	

**GOVERNMENT’S MOTION REGARDING
VICTIMS’ RIGHTS PURSUANT TO 18 U.S.C. § 3510(b)**

The United States respectfully requests the Court to allow any victims, who may testify during the penalty phase of this prosecution, also to view the trial, if they so desire, either in person in the courtroom or at a location selected for Closed Circuit Television (CCTV), if the Congress passes the CCTV legislation. Title 18, United States Code, Section 3510(b) states:

(b) Capital Cases. – Notwithstanding any statute, rule, or other provision of law, a United States district court shall not order any victim of an offense excluded from the trial of a defendant accused of that offense because such victim may, during the sentencing hearing, testify as to the effect of the offense on the victim and the victim’s family or as to any other factor for which notice is required under section 3593(a).

See also United States v. McVeigh, 958 F. Supp. 512 (D. Col. 1997) (permitting victims of Oklahoma City terrorist attack to view trial either in courtroom or by means of closed circuit television). In this case, the Government has filed notice that it intends to rely upon “victim impact” evidence during the penalty phase. In accord with § 3510(b), the witnesses presented during the penalty phase should be permitted to view the trial, if they so desire, either in person

in the courtroom or at a location selected for Closed Circuit Television (CCTV), if Congress passes the CCTV legislation.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I certify that on June 24, 2002, a copy of the attached Government's Motion was provided to the defendant and sent via regular mail and facsimile to defense counsel

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